

# Wetlands Bureau Decision Report

Decisions Taken  
07/05/2004 to 07/09/2004

## **DISCLAIMER:**

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

## **APPEAL:**

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

## MAJOR IMPACT PROJECT

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**2002-00687                      KAY, RICHARD**  
**ALTON   Lake Winnepesaukee**

### Requested Action:

Amend permit to reflect as built conditions.

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### Conservation Commission/Staff Comments:

Con Com requests erosion controls.

Inspection Date: 09/09/2002 by Dale R Keirstead

### APPROVE AMENDMENT:

Amend permit to read: Dredge 247 sqft of existing rock from the frontage, fill 741 sq ft to construct 46 linear ft of breakwater, in an "dogleg" configuration, with a 6 ft gap at the shoreline, and a 4 ft x 30 ft cantilevered pier connected to an existing 6 ft x 33 ft 8 in piling pier by a 2 ft 6 in x 11 ft 9 in walkway on an average of 135 ft of frontage on Lake Winnepesaukee, Alton.

### With Conditions:

1. All structures shall be as shown on plans by Folsom Design Group dated March 1, 2002, revised to reflect "as built" conditions on July 6, 2004, received by the Department on July 8, 2004.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. These shall be the only structures on this water frontage.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. No portion of breakwater as measured at normal full lake shall extend more than 50 feet from normal full lake shoreline.
8. The breakwater shall not exceed 3 feet in height(Elev. 507.32) over the normal high water line(Elev. 504.32).
9. The width as measured at the top of the breakwater(Elev. 507.32) shall not exceed 3 feet.
10. Rocks from the area identified on the approved plan may be used from the frontage for construction. No other material from the frontage shall be used.
11. No stockpiling of breakwater material on the frontage shall allowed.
12. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
13. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 feet, more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
14. This permit does not allow for any modifications to the existing dock.
15. The cantilevered dock shall not extend more than 30 ft lakeward of the normal highwater line (Elev. 504.32).
16. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483 B (see attached fact sheet).

### With Findings:

1. This project is classified as a major project per Rule Wt 303.02(j), construction of a breakwater.
2. The construction of a breakwater to provide safe docking at this site is justified in accordance with Rule Wt 402.07, Breakwaters.
3. The applicant has an average of 135 feet of frontage along Lake Winnepesaukee, Alton.
4. A maximum of 2 slips may be permitted on this frontage per Rule Wt 402.14, Frontage Over 75'.
5. The docking facility provides 2 slips as defined per RSA 482-A and therefore meets Rule Wt 402.14.

6. Public hearing is waived based on field inspection, by NH DES staff, on September 9, 2002, with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.
7. The structures as built conform the requirements of Chapter Wt 400.

-Send to Governor and Executive Council-

**2003-01992                      NEW BOSTON, TOWN OF**  
**NEW BOSTON   Piscataquog River**

Requested Action:

Dredge and fill 1,560 square feet (including 1,200 square feet of temporary impacts) in riverine wetlands and within the banks of the Middle Branch of the Piscataquog River to replace the Dougherty Lane Bridge. Work within jurisdiction consists of replacement of the abutments and construction of a new bridge deck.

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Conservation Commission/Staff Comments:

NH Fish & Game has identified the presence of a sensitive species in the vicinity of this project.

Inspection Date: 10/23/2003 by Jeffrey D Blecharczyk

APPROVE PERMIT:

Dredge and fill 1,560 square feet (including 1,200 square feet of temporary impacts) in riverine wetlands and within the banks of the Middle Branch of the Piscataquog River to replace the Dougherty Lane Bridge. Work within jurisdiction consists of replacement of the abutments and construction of a new bridge deck.

With Conditions:

1. All work shall be in accordance with plans by the Town of New Boston, as received by the Department on August 25, 2003 and NHF&G requirements submitted to the Department on June 9, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. The contractor responsible for the project shall notify the NH Fish & Game Department within 5 days of the start of work, to coordinate the removal of the federally endangered Brook Floater mussels (*Alasmidonta varicosa*).
4. Work shall be done during low flow.
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. Prior to commencing work on a substructure located within surface waters, a temporary cofferdam shall be constructed to isolate the substructure work area from the surface waters.
8. Temporary cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a temporary cofferdam is fully effective, confined work can proceed without restriction.
9. Temporary cofferdams shall be entirely removed immediately following construction.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control

Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

14. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a major impact project per rule Wt 303.02(k), as the Middle Branch of the Piscataquog River has documented populations of the brook floater mussel (*Alasmodonta varicosa*) and such populations have been found in this location.
2. A recent survey of the project area revealed brook floater mussels are present directly above the project site. The population upstream will be relocated to an appropriate location further upstream before construction begins.
3. For the reasons listed in finding #2 above, the Wetlands Bureau has determined that if implemented as permitted, this project will cause no adverse impact to rare or threatened species.
4. The applicant has demonstrated avoidance and minimization per Rule Wt 302.03 by reducing the placement of stone fill in the banks and resurfacing the bridge abutments instead of complete replacement.
5. The NHF&G is requesting the temporary removal of the Brook Floater mussels.

**2004-00200                      BERTHOLET JR TRUST, RAYMOND**  
**LACONIA   Lake Winnepesaukee**

Requested Action:

The applicant request reconsideration of the decision of the department to deny the proposed project to construct an 8 slip docking facility.

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Conservation Commission/Staff Comments:

Con. Com. has concerns about boating safety due to the close proximity of the Weirs Channel, about possible shoreline erosion.

Inspection Date: 04/20/2004 by Dale R Keirstead

With Findings:

Standards for Approval

1. In accordance with RSA 482-A:10, II Appeals, "a request for reconsideration shall be filed with the department within 20 days of issuance of the department's decision or order."
2. By statute, the Department has no discretion to waive or extend this deadline.

Findings of Fact

3. The Department issued its decision on the applicant's request to construct a major docking facility consisting of 8 slips by way of a letter dated and mailed on May 21, 2004.
4. The deadline to make a request for reconsideration of the Department's decision was June 10, 2004.
5. The Motion for Reconsideration, dated June 29, 2004 was received by the Department on June 30, 2004, 40 days after the issuance of the Department's decision.

Ruling in Support of the Decision

6. The department did not receive a timely request for reconsideration therefore the decision stands as issued.

**MINOR IMPACT PROJECT**

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**2003-01457                      FAREWELL SR, CLYDE**  
**ENFIELD   Unnamed Wetland**

Requested Action:

Retain approximately 4000 square feet of impact including two culverts for access to a single family residential lot.

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Conservation Commission/Staff Comments:

The conservation commission did not comment on this application.

APPROVE AFTER THE FACT:

Retain approximately 4000 square feet of impact including two culverts for access to a single family residential lot.

With Conditions:

1. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
2. This approval is contingent on approval by the DES Subsurface Systems Bureau.
3. This approval is contingent upon the restoration of the created swale along the northeast property line.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on June 23, 2004. Field inspection determined the access is necessary to access buildable uplands in the rear of the lot.

**2003-02103                      TANGUAY, PHILIP**  
**ENFIELD   Sucker Brook**

Requested Action:

Dredge and fill 300 square feet of Sucker Brook for the installation of a 48-inch x 20 foot culvert for access.

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Conservation Commission/Staff Comments:

No ConCom signature

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Dredge and fill 300 square feet of Sucker Brook for the installation of a 48-inch x 20 foot culvert for access.

With Findings:

1. A request for additional information dated February 12, 2004, addressed to the applicant, clearly identified changes made to RSA 482-A:3 in 2003, requiring the applicant to submit additional information to DES within 120 days of the request.
2. Pursuant to RSA 482-A, XIV(b), if the requested additional information is not received by DES within 120 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.

**2004-00650                      PSNH, BOB GOSLING**  
**KEENE   Ashuelot River**

Requested Action:

Install 2 outflow structures in the west bank of the Ashuelot River permanently impacting 20 linear feet of bank. The work includes approximately 1,700 square feet of temporary impacts to the river bank and palustrine emergent, scrub-shrub wetlands.

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Conservation Commission/Staff Comments:

Ashuelot River Local Advisory Committee finds plans acceptable with proper erosion controls deployed, use of native vegetation and proper maintenance of the Vortechs® stormwater devices.

APPROVE PERMIT:

Install 2 outflow structures in the west bank of the Ashuelot River permanently impacting 20 linear feet of bank. The work includes approximately 1,700 square feet of temporary impacts to the river bank and palustrine emergent, scrub-shrub wetlands.

With Conditions:

1. All work shall be in accordance with plans by Clough, Harbour & Associates, LLP, outlet structure and restoration details dated June 21, 2004, as received by the Department on June 24, 2004 and plans dated April 8, 2004, as received by the Department on April 15, 2004.
2. This permit is contingent on approval by the DES Site Specific Program.
3. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Work shall be done during low flow.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Areas of temporary disturbance shall be regraded to original contours following completion of work.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Culvert outlets shall be properly rip rapped.
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
14. Wetland replication area shall have at least 75% successful establishment of wetlands vegetation after 2 growing season, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
15. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.
16. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
17. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
18. The following semi-annual inspections, monitoring and clean-out procedures of the Vortechs, Inc, Vortechs Stormwater Treatment System, or approved equal, (Treatment Unit) are required:
  - a. Semi annual inspections of the immediate upstream and downstream structures to ensure free flow of stormwater through the Treatment Unit
  - b. Semi-annual inspection and annual clean-out of the Treatment Unit to monitor and remove pollutants (sediment, oils and floatables) and ensure proper operation of the unit(s). Removed pollutants must be disposed in accordance with all applicable State

regulations.

c. Maintenance logs must be completed for each inspection.

d. An annual Maintenance Report summarizing the maintenance logs that documents observations as well as volume of sediment, oils and floatables removed from the unit(s) must be completed. This annual report must be maintained for no less than 5 years and made available to Department personnel upon request.

19. The applicant shall provide to the Department the name and contact information of the party responsible for maintaining the stormwater control devices in accordance with Specific Condition #18 of this permit.

20. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(i), alteration of less than 200 linear feet of stream bank and or its channel.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. The Department has determined the project as designed will have minimal impacts on the environment.

6. The NHF&G and the Ashuelot River Advisory Committee expressed concerns for the potential introduction of sediments and contaminated runoff entering the riverine system.

7. The Department has determined the proposed construction sequencing and stormwater control structures will effectively minimize and reduce the potential for introduction of sediments and contaminated runoff into the riverine system.

8. The individual(s) responsible for maintenance of the stormwater control structures shall keep a monitoring and maintenance record for no less than 5 years to document the stormwater control structures are functioning properly as designed.

**2004-00697                      EQUIVISE LTD**  
**MEREDITH   Unnamed Wetland**

Requested Action:

Dredge and fill approximately 2,131 sq. ft. of forested wetland for construction of a roadway into a 63-lot subdivisions on approximately 207.4 acres.

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APPROVE PERMIT:

Dredge and fill approximately 2,131 sq. ft. of forested wetland for construction of a roadway into a 63-lot subdivision on approximately 207.4 acres.

With Conditions:

1. All work shall be in accordance with the followings plans by HTA Companies:

a. The Proposed lot layout plan (Sheet 1 of 1) dated March 24, 2004 as received by the Department on April 22, 2004;

b. The Proposed Roadway Plan & Profile-1 (Sheet 12 of 29) and The Proposed Roadway Plan & Profile-8 (Sheet 19 of 29) dated March 18, 2004 with revisions through May 10, 2004 as received by the Department on June 7, 2004;

2. This permit is contingent on approval by the DES Site Specific Program.

3. This permit is contingent on approval by the DES Subsurface Systems Bureau.

4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.

5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.

6. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.

7. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s)

responsible for performing the work.

8. Work shall be done during low flow conditions.
9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Culvert outlets shall be properly rip rapped.
13. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
15. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
16. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 sq. ft. of jurisdictional forested wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. A site inspection was conducted on June 11, 2004, DES personnel found wetland lines to be accurately delineated.
6. The wetlands on this lot are fed by surface water and do not have a main function of ground water recharge. The installation of wells should not impact the wetlands.

**2004-00818                      CONCORD POINT REALTY TRUST, ED PAROLISI TTEE**  
**RYE   Atlantic Ocean**

Requested Action:

Excavation, regrading, alteration of terrain and construction activities having a total impact area of 6,984 sq. ft. (including 2,568 sq. ft. of temporary impacts) within the previously developed upland tidal buffer zone for work associated with razing an existing house and construction of a new 4-bedroom home, the replacement/installation of a sub-surface septic system and raising the height of an existing retaining wall.

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APPROVE PERMIT:

Excavation, regrading, alteration of terrain and construction activities having a total impact area of 6,984 sq. ft. (including 2,568 sq. ft. of temporary impacts) within the previously developed upland tidal buffer zone for work associated with razing an existing house and construction of a new 4-bedroom home, the replacement/installation of a sub-surface septic system and raising the height of an existing retaining wall.

With Conditions:

1. All work shall be in accordance with plans by NH Soil Consultants, Inc. dated 03/04, as received by the Department on May 05, 2004.
2. Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction,



and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

5. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(a), alteration of the upland tidal buffer zone
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on July 7, 2004.

**2004-00924                      MILLER, DAIL**  
**PIERMONT   Connecticut River**

Requested Action:

Install a seasonal 4 foot by 25 foot ramp to a 10 foot by 20 foot rectangular seasonal dock on the Connecticut River with approximately 150 feet of shoreline frontage.

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Conservation Commission/Staff Comments:

The Piermont Conservation Commission signed the original PBN form.

APPROVE PERMIT:

Install a seasonal 4 foot by 25 foot ramp to a 10 foot by 20 foot rectangular seasonal dock on the Connecticut River with approximately 150 feet of shoreline frontage.

With Conditions:

1. All work shall be in accordance with plans by Dail Miller dated May 6, 2004 and May 30, 2004, as received by the Department on June 4, 2004.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
4. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl.
5. This permit does not allow for maintenance dredging.
6. This shall be the only structure on this water frontage and all portions of the structure shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
7. Seasonal piers shall be removed from the river for the non-boating season.
8. No portion of the pier shall extend more than 30 feet from the shoreline at normal high water elevation.
9. The 10 ft x 20 ft floating pier shall be reduced to the dimensions of 6 ft x 20 ft upon transfer of ownership of the property.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.03(d), construction of seasonal docks that exceeds the criteria in Wt 402.01.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application

Evaluation, has been considered in the design of the project.

5. Sensitive species identified by the NH Natural Heritage Bureau within the area will not be impacted as they are upland species.
6. The Applicant requested that Rule Wt 402.02, Dimensions, be waived to allow a 10 ft wide pier to allow a floating docking facility which would be safe for a disabled individual.
7. In accordance with Rule Wt 304.16, Alternative Considerations, Rule Wt 402.02 is waived.

**2004-01132                      NEWMARKET, TOWN OF**  
**NEWMARKET   Unnamed Wetland**

Requested Action:

Dredge and fill a total of 5,400 sq. ft. of previously disturbed, palustrine forested/scrub-shrub wetlands to expand a former manufacturing facility to accomodate the needs of the Town of Newmarket Department of Public Works.

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APPROVE PERMIT:

Dredge and fill a total of 5,400 sq. ft. of previously disturbed, palustrine forested/scrub-shrub wetlands to expand a former manufacturing facility to accomodate the needs of the Town of Newmarket Department of Public Works.

With Conditions:

1. All work shall be in accordance with plans by Doucet Survey, Inc. dated Oct. 15, 2003, as received by the Department on June 02, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Coastal staff shall be notified in writing prior to commencement of work and upon its completion.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on June 28, 2004. Field inspection determined the project is approvable as proposed and the Town of Newmarket has shown demonstrated need for the building expansion at this location.

**MINIMUM IMPACT PROJECT**

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**2003-01262                      GRAY, WILLIAM & JANET**  
**SANBORNVILLE   Pine River Pond**

Requested Action:

Applicant requests amendment to repair wall and stop undercutting of bank with riprap.

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Conservation Commission/Staff Comments:

Con. Com. did not sign application; must be reviewed as a standard dredge & fill minimum.

APPROVE AMENDMENT:

Amend permit to read:

Impact 150 sq ft to construct a 50 linear ft wood retaining wall, utilizing 3 cu yds of riprap to prevent undercutting, and repair an existing 4 ft x 23 ft piling pier connected to an existing 4 ft x 12 ft piling wharf in a "L" configuration in-kind on an average of 164 ft of frontage on Pine River Pond, Sanbornville.

With Conditions:

With Amended Conditions:

1. All work shall be in accordance with plans by William Gray, as received by the Department on July 2, 2004.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
4. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
6. Repair shall maintain existing size, location and configuration.
7. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
8. All removed material shall be placed outside of the jurisdiction of the DES Wetlands Bureau prior to new construction.
9. Retaining wall shall be constructed landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.
10. Rip-rap shall be located landward of the shoreline at the normal high water, where practical, and shall not extend more than 2 feet lakeward of that line at any point.
11. Work shall be done during drawdown.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(m), construction of a retaining wall impacting less than 50 linear ft of shoreline.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on July 18, 2003. Field inspection determined that a small retaining wall is appropriate to prevent further erosion and avoid a potential safety hazard.
6. DES staff conducted an additional field inspection of the proposed project on May 19, 2004. Field inspection determined that additional erosion control methods were needed to prevent a potential safety hazard.

Requested Action:

Dredge approximately 6,972 square feet of scrub-shrub and wet meadow wetlands to construct an irrigation pond.

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Conservation Commission/Staff Comments:

No comments received from the South Hampton Conservation Commission.

APPROVE PERMIT:

Dredge approximately 6,972 square feet of scrub-shrub and wet meadow wetlands to construct an irrigation pond.

With Conditions:

1. All work shall be in accordance with the following plans by the Rockingham County Conservation District:
  - a) The Dugout Pond Design Plan (Sheet 1 of 2) dated August 2003 and revised March 5, 2004, as received by the Department on July 2, 2004; and b) The Dugout Pond Design Plan (Sheet 2 of 2) dated August 2003 and revised March 5, 2004, as received by the Department on April 28, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Work shall be conducted during low flow conditions.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
8. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
10. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

With Findings:

1. The project is categorized as a Minimum Impact Project, per Administrative Rule Wt 303.04(p), as the project involves construction of a pond with less than 20,000 square feet of alteration in wetlands.
2. Based on review of information provided in a letter from the Rockingham County Conservation District dated June 30, 2004, the Department finds that it is not practicable to move the pond further north or west to minimize wetlands impacts.
3. The need for the proposed jurisdictional impacts has been demonstrated by the applicant per Rule Wt 302.01.
4. The applicant has provided evidence which demonstrates that the proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(b), Requirements for Application Evaluation, has been considered in the design of the project.

**2004-00054                      GILLAN, ERNEST**  
**ALTON   Unnamed Wetland**

Requested Action:

Fill 1900 square feet of wetland for lot development.

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DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Fill 1900 square feet of wetland for lot development.

With Findings:

1. A request for additional information dated January 26, 2004, addressed to the applicant and carbon copied to the agent of record, clearly identified changes made to RSA 482-A:3 in 2003, requiring the applicant to submit additional information to DES within 120 days of the request.
2. Pursuant to RSA 482-A, XIV(b), if the requested additional information is not received by DES within 120 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.

**2004-00782                      BOOTH, DAVID**  
**ANTRIM   Unnamed Wetland**

Requested Action:

Restore approximately 2,000 square feet of palustrine forested wetlands impacted during previous logging activities

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Conservation Commission/Staff Comments:

Conservation Commission did not sign the expedited application.

APPROVE PERMIT:

Restore approximately 2,000 square feet of palustrine forested wetlands impacted during previous logging activities

With Conditions:

1. All work shall be in accordance with plans and restoration sequencing by Geoserve Incorporated, as received by the Department on April 30, 2004.
2. The permittee shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.
3. Work shall be done during low or no flow conditions.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Area shall be regraded to original contours following completion of work.
6. All logging debris and associated fill material to be removed shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Wetland restoration areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydrologic regime.
9. Wetland restoration areas shall have at least 75% successful establishment of wetlands vegetation after one growing season, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
10. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.
11. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
12. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This project will restore 2,000 sq ft of impacts associated with previous logging operations and is therefore a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 sq ft of nontidal jurisdictional wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Conservation Commission chooses not to sign the expedited application, though expressed the fact they had no direct objections to the proposed project.
6. The NH Natural Heritage Bureau identified a rare or vulnerable community within the vicinity of the project.
7. DES has determined the project as designed will have no direct or indirect influence on the documented rare community.

**2004-00790                      KAM DEVELOPMENT LLC**  
**CANDIA   Unnamed Wetland**

Requested Action:

Dredge and fill approximately 946 square feet of forested wetland and install a 15-inch by 28 foot culvert for access to a single family residential lot on approximately 7.34 acres of a 6-lot subdivision on approximately 43.25 acres.

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Conservation Commission/Staff Comments:

The Candia Conservation Commission DID NOT sign the original PBN form.

APPROVE PERMIT:

Dredge and fill approximately 946 square feet of forested wetland and install a 15-inch by 28 foot culvert for access to a single family residential lot on approximately 7.34 acres of a 6-lot subdivision on approximately 43.25 acres.

With Conditions:

1. All work shall be in accordance with the following plans by RSL Layout & Design, Inc.:
  - a. Survey and Plat of a Subdivision of land of KAM Development, LLC plan (Sheet 2 of 2) dated March 17, 2004 with revisions through April 15, 2004, as received by the Department on May 3, 2004;
  - b. Dredge and Fill plan dated April 12, 2004, as received by the DES received by the Department on May 3, 2004.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
6. Work shall be done during low flow conditions.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Culvert outlets shall be properly rip rapped.
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2004-00934                      BRAGA, JOHN & NANCY SILVA**  
**JEFFERSON   Unnamed Wetland**

Requested Action:

Retain the replacement of three 12" x 20' culverts and regrade approximately 200 linear feet of private road adjacent to jurisdictional wetlands

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Inspection Date: 04/12/2004 by Linda M Magoon

APPROVE PERMIT:

Replace and retain three 12" x 20' culverts and regrade approximately 200 linear feet of private road adjacent to jurisdictional wetlands. Additional work to include relaying one culvert, and restoring additional impact sites in accordance with the Restoration Plan Approval issued on June 29, 2004.

With Conditions:

1. All work shall be in accordance with plans by Associated Consulting Engineers dated May 5, 2004, as received by the Department on May 13, 2004.
2. This permit is contingent on successful completion of the Restoration Plan Approval issued by the Department on June 29, 2004.
3. The permittee shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.
4. Work associated with culvert replacement and side slope stabilization shall coincide with the Restoration Plan Approval issued on June 29, 2004.
5. Work shall be done during low flow.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Area shall be regraded to original contours following completion of work.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
13. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
14. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
15. Wetland replication area shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(x), repair or replacement of existing structures.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application

Evaluation, has been considered in the design of the project.

**2004-01001 WEARE, TOWN OF**  
**WEARE Piscataqua River**

Requested Action:

Dredge and fill 435 square feet along 88 linear feet of the Piscataquog River for the replacement of the Woodbury Road Bridge.

Dredge and fill 2,503 square feet (including 1,986 square feet of temporary impacts) in riverine wetlands and within the banks of the Piscataquog River to replace the Howe Road bridge. Work within jurisdiction consists of the repair of the abutments and construction of a new bridge deck.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Weare Conservation Commission sigend the Minimum Impact Expedited Application.

Inspection Date: 07/07/2004 by Jeffrey D Blecharczyk

APPROVE PERMIT:

Dredge and fill 435 square feet along 88 linear feet of the Piscataquog River for the replacement of the Woodbury Road Bridge.

With Conditions:

1. All work shall be in accordance with the Channel Impact Plan by SEA Consultants, Inc. dated February 2004, as received by the Department on May 30, 2004 and revised construction details by SEA Consultants, Inc. dated July 8, 2004, as received by the Department on July 9, 2004.
2. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
3. The applicant shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.
4. Work shall be done during annual low flow conditions and during the months of May through September. No in-stream work shall occur after October 1 unless a waiver of this condition is issued by the DES Wetlands Bureau in consultation with the NH Department of Fish and Game.
5. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation within the river corridor.
6. Appropriate erosion and siltation controls shall be installed prior to construction, maintained during construction, and remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. Prior to commencing work on a substructure located within surface waters, temporary water diversion measures shall be constructed to isolate the substructure work area from the surface waters.
9. Temporary water diversion measures shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a temporary water diversion measure is fully effective, confined work can proceed without restriction.
10. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse. In-stream work shall not exceed five consecutive days in total unless specifically authorized in writing by the Wetlands Bureau.
11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
12. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
13. There shall be no excavation or operation of construction equipment in flowing water.
14. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to entering jurisdictional areas.
15. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each



operator shall be trained in its use.

16. All refueling of equipment shall occur outside of jurisdictional areas during construction.

17. Temporary water diversion measures shall be entirely removed immediately following construction.

18. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

19. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the restoration area during the early stages of vegetative establishment.

20. Upland riparian areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.

21. Any further alteration of areas that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

22. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. The applicant has conducted field inspection for the presence of brook floater mussels (*Alasmidonta varicosa*) per NH Dept. Fish and Game and found no such species in proximity to the project.

5. DES Staff conducted a field inspection of the proposed project on July 7, 2004. Field inspection determined approximately 10 linear feet of stream bank along the SE wing wall has received considerable undercutting. The SW bank has an unprotected culvert outlet eroding the bank.

6. The Department has determined the placement of Class "B" stone along the undercut bank on the SE wing wall and installation of outlet protection on the SW bank will minimize adverse impacts to the riverine system and provide long term benefit.

**2004-01270                      HENNESSEY, KERRY**  
**WINDHAM   Cobbetts Pond**

Requested Action:

Construct a 4 ft by 24 ft seasonal dock on Cobbetts Pond, Windham.

\*\*\*\*\*

Conservation Commission/Staff Comments:

No Con Com comments by 06/29/04

Fish and Game and NHI have no concerns

APPROVE PERMIT:

Construct a 4 ft by 24 ft seasonal dock on Cobbetts Pond, Windham.

With Conditions:

1. All work shall be in accordance with plans as received by the Department on June 14, 2004.

2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.

3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.

4. Seasonal pier shall be removed from the lake for the non-boating season.

5. No portion of the pier shall extend more than 24 feet from the shoreline at full lake elevation.

6. The seasonal dock shall be installed with no modifications to the bank or shoreline.
7. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a).

## FORESTRY NOTIFICATION

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**2004-01346                      HENRY, NORMAN**  
**KEENE   Unnamed Stream**

COMPLETE NOTIFICATION:  
Keene Tax Map 917-12, Lot # 14

**2004-01409                      CROTEAU, LYNETTE**  
**WINCHESTER   Unnamed Stream**

COMPLETE NOTIFICATION:  
Winchester Tax Map 6, Lot# 4

**2004-01411                      SAFFORD, LAWRENCE & ALTHEA WEEKS**  
**STRAFFORD   Unnamed Stream**

COMPLETE NOTIFICATION:  
Strafford Tax Map 11, Lot# 59 & 61

**2004-01412                      BAKER, JAMES & WILMA**  
**HANOVER   Unnamed Stream**

COMPLETE NOTIFICATION:  
Hanover Tax Map 11, Lot# 15 & 16

**2004-01413                      UNH, WOODLANDS OFFICE**  
**OSSIPEE   Unnamed Stream**

COMPLETE NOTIFICATION:  
Ossipee Tax Map 4, Lot# 7

**2004-01414                      DONAVAN, ANDREW**  
**DEERING   Unnamed Stream**

COMPLETE NOTIFICATION:

Deering Tax Map 212, Lot# 13

**2004-01417                      HERTEL, VAN**  
**WOLFEBORO   Unnamed Stream**

COMPLETE NOTIFICATION:  
Wolfeboro Tax Map 18, Lot# 3

**2004-01418                      UPNORTH REALTY TRUST, AL GRIGGS TTEE**  
**CHESTERFIELD   Unnamed Stream**

COMPLETE NOTIFICATION:  
Chesterfield Tax Map 13, Lot# 15 & 16

**2004-01419                      USDA FOREST SERVICE, WHITE MTN NATIONAL FOREST**  
**BARTLETT   Unnamed Stream**

COMPLETE NOTIFICATION:  
Bartlett Tax Map N/A Forest Service

**2004-01441                      PUBLIC SERVICE OF NH**  
**HILLSBOROUGH   Unnamed Stream**

COMPLETE NOTIFICATION:  
Hillsboro Tax map 10, Lot# 5

**2004-01442                      HAUCK, FREDRICK & CLAUDETTE**  
**SUTTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Sutton Tax Map 10, Lot# 056-258

**2004-01444                      DUMOINE FARM, C/O WAGNER FOREST MGMT**  
**COLUMBIA   Unnamed Stream**

COMPLETE NOTIFICATION:  
Columbia Tax Map 407, Lot# 22

**2004-01445                      CHANDLER, LILLIAN**  
**CHATHAM   Unnamed Stream**

COMPLETE NOTIFICATION:  
Chatham Tax Map 8, Lot# 41

**2004-01455 SLM REALTY TRUST, JAMES MULLANEY**  
**CONCORD Unnamed Stream**

COMPLETE NOTIFICATION:  
Concord Tax Map 125, Lot# 5

**EXPEDITED MINIMUM**

\*\*\*\*\*

**2002-01423 WHITAKER, HAROLD & THOMAS FADDEN**  
**NEW DURHAM Unnamed Wetland**

Requested Action:

Amend permit to revise the driveway alignment and provide direct access to Lot 27E .

\*\*\*\*\*

APPROVE AMENDMENT:

Fill 1,200 square feet of palustrine forested wetlands and install an 18" x 24' culvert for driveway access (Lot 27E) to complete phase II of the Ham Road Subdivision serving 6-lots. Restore 200 square feet within an intermittent stream/wetland area to eliminate a former forestry crossing where the original driveway was proposed.

With Conditions:

1. All work shall be in accordance with plans by Ammonoosuc Survey Company Inc dated 6/18/02, as received by the Department on 7/1/02; and in accordance with revisions by B.H. Keith Associates as received by the Department on 5/21/04.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #2 of this approval.
4. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
5. This permit is contingent on approval by the DES Subsurface Systems Bureau.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
7. Proper headwalls shall be installed over the culvert ends within five (5) days of culvert installation
8. A Stone aprons shall be installed at the culvert outlet to prevent scouring/erosion.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This project is considered a Minimum Impact Project per Rule Wt 303.04(f), as impacts are less than 3,000 square feet.

**2002-01430 CHICHAKLY, KARIM**  
**PLAINFIELD Unnamed Stream**

Requested Action:

Approva name change to: Judy Perkins, PO Box 5106, West Lebanon NH 03784 per request received 7/6/04.

\*\*\*\*\*

Conservation Commission/Staff Comments:

On July 8, 2002, the Plainfield Conservation Commission (Con Com) expressed a concern about driveway drainage entering directly into the stream channel.

In a letter received by DES on September 16, 2002, the applicant's agent addresses the Con Com's concerns with the installation of multiple culverts with level spreaders along the driveway to segment the runoff and reduce the direct impact to the stream channel.

APPROVE NAME CHANGE:

Dredge and fill approximately 390 square feet of a seasonal stream to install a 48" x 30' culvert for access to a single family residence.

With Conditions:

1. All work shall be in accordance with plans by McPherson Consulting, Inc., dated September 6, 2002, as received by the Department on September 16, 2002.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. Work shall be done during low flow.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Culvert outlets shall be properly rip rapped.
9. Appropriate measures shall be implemented to control the anticipated increase in surface runoff impacting the seasonal stream.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Wt 502.03(b).

**2004-00730 THE ANAGNOST COMPANIES**  
**MANCHESTER Unnamed Wetland**

Requested Action:

Dredge and fill approximately 1,110 square feet of forested wetland to create a treatment swale for a roadway into three, three-story multifamily apartment buildings with associated parking on approximately 9.6 acres.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Manchester Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Dredge and fill approximately 1,110 square feet of forested wetland to create a treatment swale for a roadway into three, three-story multifamily apartment buildings with associated parking on approximately 9.6 acres.

With Conditions:

1. All work shall be in accordance with the following plans by CLD Consulting Engineers, Inc., as received by the Department on June 3, 2004:
  - a. Erosion Protection Plan (Drawing P1B) dated February 2004 with revisions through June 2, 2004;

- b. Boundry Plan (Drawing 1) dated December 2003 with revisions through April 7, 2004;
- c. Overview Plan (Drawing C2) dated February 2004 with revisions through April 7, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit is contingent on approval by the DES Site Specific Program.
4. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
5. Work shall be done during no flow conditions.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culvert outlets shall be properly rip rapped.
10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional forested wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. Sensitive species identified by the NH Natural Heritage Bureau within the area will not be impacted as they are upland species.

**2004-00766                      88 CAMPBELL ROAD INVESTMENTS LLC**  
**BEDFORD   Unnamed Wetland**

Requested Action:

Dredge and fill approximately 1,024 sq. ft. of intermittent stream for installation of 2 15"x28' culverts for a roadway and 1,324 sq. ft. of intermittent stream for installation of 2 18"x49' culverts to provide access to a lot of 2.15 acres as part of a 19-lot subdivision on approximately 29.07 acres with 7.48 acres designated as open space.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Bedford Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Dredge and fill approximately 1,024 sq. ft. of intermittent stream for installation of 2 15"x28' culverts for a roadway and 1,324 sq. ft. of intermittent stream for installation of 2 18"x49' culverts to provide access to a lot of 2.15 acres as part of a 19-lot subdivision on approximately 29.07 acres with 7.48 acres designated as open space.

With Conditions:

1. All work shall be in accordance with the following plans by Bedford Design Consultants dated April 16, 2004 with revisions through April 16, 2004 as received by the Department on June 8, 2004:
  - a. Wetland Impact Existing Conditions (Sheet 3);
  - b. Plan and Profile (Sheet P2 of P5 & Sheet P5 of P5).
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
7. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
8. Work shall be done during low flow conditions.
9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Culvert outlets shall be properly rip rapped.
13. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
15. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
16. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(n), projects that alter less than 50 linear feet of an intermittent stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2004-01070                      WARD, RUFUS**  
**SUNAPEE   Sunapee Lake**

Requested Action:

Install a 6 ft x 30 ft seasonal dock and a 10 ft x 9 ft seasonal boatlift on a property having approximately 400 linear feet of frontage

on Sunapee Lake.

\*\*\*\*\*

Conservation Commission/Staff Comments:  
ConComm signed.

**APPROVE PERMIT:**

Install a 6 ft x 30 ft seasonal dock and a 10 ft x 9 ft seasonal boatlift on a property having approximately 400 linear feet of frontage on Sunapee Lake.

**With Conditions:**

1. All work shall be in accordance with the original plans received by the Department on May 27, 2004 and the revised plans received on June 30, 2004.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
4. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
5. These shall be the only structures on this water frontage and all portions of the structures shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
6. This permit does not allow maintenance dredging.
7. Seasonal boatlifts and seasonal docks shall be removed from the lake for the non-boating season.
8. No portion of the dock shall extend more than 40 feet from the shoreline at the normal high water mark.
9. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

**With Findings:**

1. This is a minimum impact project per Administrative Rule Wt 303.04(a) construction of a seasonal pier and Wt 303.04(ac) installation of a seasonal boatlift.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2004-01182                      AUSTIN, JOSEPH**  
**CHICHESTER   Unnamed Wetland**

**Requested Action:**

Dredge and fill approximately 2,394 square feet of forested wetland to construct a roadway into a commercial lot of approximately 13.3 acres.

\*\*\*\*\*

Conservation Commission/Staff Comments:  
The Chichester Conservation Commission signed the Minimum Impact Expedited Application.

**APPROVE PERMIT:**

Dredge and fill approximately 2,394 square feet of forested wetland to construct a roadway into a commercial lot of approximately 13.3 acres.



With Conditions:

1. All work shall be in accordance with the Overall Wetland Impact Plan (Sheet W-1) and the Wetlands Impact Plan (Sheet W-2) by Norway Plains Associates, Inc. dated January 2004 and revised April 15, 2004, as received by the Department on April 19, 2004.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
5. Work shall be done during low flow conditions.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culvert outlets shall be properly rip rapped.
10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional forested wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2004-01196                      DUBLIN, TOWN OF**  
**DUBLIN   Unnamed Stream**

Requested Action:

Replace and/or Maintain 11 (eleven) culverts on Church St., Cobb Meadow Rd., and East Harrisville Rd.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Dublin Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Replace and/or Maintain 11 (eleven) culverts on Church St., Cobb Meadow Rd., and East Harrisville Rd.

With Conditions:

1. All work shall be in accordance with plans by Dublin Highway Department as received by the Department on June 7, 2004.

2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Work shall be done during low flow.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Repair shall maintain existing size, location and configuration.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(x), repair and replacement in-kind of nondocking structures.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2004-01298                      TSIARAS, WILLIAM & NANCY**  
**MOULTONBOROUGH   Lake Winnepesaukee**

Requested Action:

Construct a 108 sqft perched beach on Lake Winnepesaukee, Moultonborough.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed Exp Application

Fish and Game and NHI have no concerns

APPROVE PERMIT:

Construct a 108 sqft perched beach on Lake Winnepesaukee, Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by Matthew Wood, as received by the Department on June 16, 2004.
2. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
3. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
4. The steps installed for access to the water shall be located completely landward of the normal high water line.
5. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
6. This permit shall be used only once, and does not allow for annual beach replenishment.
7. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
8. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(d).

**2004-01320                      NH DEPT OF TRANSPORTATION**  
**MEREDITH   Unnamed Stream**

Requested Action:

Slip lining a 48 in. x 112 ft. culvert, construct new headwalls and place stone at inlet and outlet impacting 1,900 sq. ft. (1,000 sq. ft. temporary) of intermittent stream.

\*\*\*\*\*

APPROVE PERMIT:

Slip lining a 48 in. x 112 ft. culvert, construct new headwalls and place stone at inlet and outlet impacting 1,900 sq. ft. (1,000 sq. ft. temporary) of intermittent stream. NHDOT project #M309-3.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Maintenance District 3 dated 1/14/04, as received by the Department on June 17, 2004.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Unconfined work within the brook, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
4. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
5. Temporary cofferdams shall be entirely removed immediately following construction.
6. Construction equipment shall not be located within surface waters.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
9. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
11. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
13. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
14. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
15. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.

**2004-01352                      FLETCHER, ELIZABETH**  
**MASON   Unnamed Stream**

Requested Action:

Replace and upgrade existing 12" culvert to an 18" and repair headwalls to maintain access to a single family residence

\*\*\*\*\*

Conservation Commission/Staff Comments:

Conservation Commission signed the minimum expedited application.

Abutter within 20 feet has provided written permission to conduct the requested work.

**APPROVE PERMIT:**

Replace and upgrade existing 12" culvert to an 18" and repair headwalls to maintain access to a single family residence

**With Conditions:**

1. All work shall be in accordance with plans by the applicant, as received by the Department on June 21, 2004.
2. Work shall be done during low or non flow conditions.
3. Repair of the headwalls shall maintain existing size, location and configuration.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
9. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

**With Findings:**

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

**2004-01461                      ZARSE, CURTIS/KAREN**  
**WOLFEBORO   Unnamed Wetland**

**2004-01472                      DRED, FOX STATE FOREST**  
**HILLSBOROUGH   Mud Pond**

**Requested Action:**

Replace approximately 130 linear feet of Fox State Forest's Mud Pond board walk. Work to include complete removal of old structure and replace with an elevated structure.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

The Natural Heritage Bureau endorses the plan, and supports the plans to remove the old structure and construct an elevated walkway.

**APPROVE PERMIT:**

Replace approximately 130 linear feet of Fox State Forest's Mud Pond board walk. Work to include complete removal of old structure and replace with an elevated structure.

**With Conditions:**

1. All work shall be in accordance with plans by State of NH-DRED, as received by the Department on July 2, 2004.
2. Existing board walk materials shall be removed completely and placed outside of the jurisdiction of the DES Wetlands Bureau.

3. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
4. Repair of the boardwalk shall maintain existing size, location and configuration.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau, NH Natural Heritage Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
8. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
9. Work shall be carried out in a time and manner such that there will be no disturbance to migratory waterfowl breeding areas or fish spawning areas.
10. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This project is located in a bog and would therefore for be classified as a major impact project for new projects.
2. This project is a replacement and is therefore exempt from Wt 303.02(a),... for projects located in a bog that are for repair of existing structures pursuant to Wt 303.04(v).
3. Therefore this project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.
4. The NH Natural Heritage Bureau endorses the project and supports removal of the old structure and replace with an elevated structure.

**GOLD DREDGE**

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**2004-01490                      PICANZA, JOHN**  
**(ALL TOWNS)   Unnamed Stream**

Conservation Commission/Staff Comments:  
Bath ConCom

**2004-01491                      SANBORN, DAVID**  
**(ALL TOWNS)   Unnamed Stream**

Conservation Commission/Staff Comments:  
Bath ConCom

**2004-01492                      DAMICO, DANIEL**  
**(ALL TOWNS)   Unnamed Stream**

Conservation Commission/Staff Comments:  
Bath ConCom

**2004-01493                      LARSON, BERT**  
**(ALL TOWNS)   Unnamed Stream**

**2004-01501                      DAVIS, TIMOTHY**  
**(ALL TOWNS)   Unnamed Stream**

Conservation Commission/Staff Comments:  
Bath ConCom

**2004-01510                      WONDOSKI, DAVID**  
**(ALL TOWNS)   Unnamed Stream**

Conservation Commission/Staff Comments:  
Bath ConCom

**LAKES-SEASONAL DOCK NOTIF**

\*\*\*\*\*

**2004-00979                      CAMMARARTA, CHRISTOPHER**  
**ALTON   Lake Winnepesaukee**

Requested Action:  
Seasonal dock notification for Tax Map # 38 Lot # 15 on Lake Winnepesaukee.  
\*\*\*\*\*

Conservation Commission/Staff Comments:  
DOT says property is no longer owned by applicant and will not grant applicant access to property.

**2004-01507                      BARABANI, DAVID**  
**WEBSTER   Pillsbury Lake**

COMPLETE NOTIFICATION:  
Webster Tax Map 10, Lot# 90 Pillsbury Lake

**ROADWAY MAINTENANCE NOTIF**

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**2004-01462                      NH DEPT OF TRANSPORTATION, DISTRICT ONE**  
**BERLIN   Unnamed Wetland**

**2004-01466**                      **NH DEPT OF TRANSPORTATION, DISTRICT ONE**  
**MONROE**   **Unnamed Stream**

**2004-01468**                      **NH DEPT OF TRANSPORTATION, DISTRICT ONE**  
**LANCASTER**   **Unnamed Stream**

**2004-01470**                      **NH DEPT OF TRANSPORTATION, DISTRICT 4**  
**NEW IPSWICH**   **Unnamed Stream**

**2004-01525**                      **NH DEPT OF TRANSPORTATION**  
**JAFFREY**   **Unnamed Wetland**

**PERMIT BY NOTIFICATION**

\*\*\*\*\*

**2004-00923**                      **WHITING, JUDITH**  
**GILFORD**   **Lake Winnepesaukee**

Requested Action:

PBN#11, In-kind replacement of two (2) ice clusters and four (4) navigational pilings on Lake Winnepesaukee with approximately 105 feet of shoreline frontage.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Gilford Conservation Commission DID NOT sign the PBN.

PBN IS COMPLETE:

PBN#11, In-kind replacement of two (2) ice clusters and four (4) navigational pilings on Lake Winnepesaukee with approximately 105 feet of shoreline frontage.

**2004-01296**                      **HAYN, RUTH**  
**NORTH SWANZEY**   **Wilson Pond**

Requested Action:

PBN#7, Installation of a seasonal 4'X12' ramp and 6'x10' seasonal dock on approximately 100 feet of shoreline frontage on Wilson Pond.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The North Swanzy Conservation Commission signed the PBN form.

PBN IS COMPLETE:

PBN#7, Installation of a seasonal 4'X12' ramp and 6'x10' seasonal dock on approximately 100 feet of shoreline frontage on Wilson Pond.

**2004-01385 CHRISTMAS ISLAND RESORT**  
**LACONIA Lake Winnepesaukee**

Requested Action:

PBN#4, In-kind repair of an existing boat ramp.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Laconia Conservation Commission did not sign the PBN.

PBN IS COMPLETE:

PBN#4, In-kind repair of an existing boat ramp.

**2004-01394 NISOURCE / GRANITE STATE GAS TRANSMISSION, JEFF MC**  
**EAST KINGSTON Unnamed Wetland**

Requested Action:

PBN#6, 1,917 sq. ft. of temporary impacts associated with the installation of cathodic protection facilities adjacent to pipeline.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The East Kingston Conservation Commission did sign the PBN form.

PBN IS COMPLETE:

PBN#6, 1,917 sq. ft. of temporary impacts associated with the installation of cathodic protection facilities adjacent to pipeline.

**2004-01395 EPSTEIN, PATRICIA/PAUL**  
**NEW HAMPTON Lake Winona**

Requested Action:

PBN#7, Installation of a 6'x30' seasonal dock on approximately 97 feet of shoreline frontage.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The New Hampton Conservation Commission did not sign the PBN.

PBN IS COMPLETE:

PBN#7, Installation of a 6'x30' seasonal dock on approximately 97 feet of shoreline frontage.

**2004-01432 HOLLAND, JOHN**  
**ALTON BAY Lake Winnepesaukee**



Requested Action:

PBN#11, In-kind replacement of 3 (three) oak pilings and 1 (one) fender piling.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Alton Conservation Commission signed the PBN form.

PBN IS COMPLETE:

PBN#11, In-kind replacement of 3 (three) oak pilings and 1 (one) fender piling.

**2004-01433                      BRIGGS, DAVID**  
**BARNSTEAD   Unnamed Wetland**

Requested Action:

PBN#1, Dredge and fill approximately 1,400 sq. ft. of forested/emergent wetland and install a 18" culvert to provide access to a single family residential lot.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Barnstead Conservation Commission signed the PBN form.

PBN IS COMPLETE:

PBN#1, Dredge and fill approximately 1,400 sq. ft. of forested/emergent wetland and install a 18" culvert to provide access to a single family residential lot.

**2004-01434                      STATE OF NH - DRED**  
**GORHAM   Man Made Pond**

Requested Action:

PBN#3, Maintenance dredge 15,000 sq. ft. of swimming and warming pools at Moose Brook State Park.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Gorham Conservation Commission signed the PBN form.

PBN IS COMPLETE:

PBN#3, Maintenance dredge 15,000 sq. ft. of swimming and warming pools at Moose Brook State Park.

**2004-01446                      DEFOSSEZ, STEVEN**  
**WOLFEBORO   Crescent Lake**

Requested Action:

PBN#7, Construction of a new 6'x30' seasonal dock and PBN#8, construction of a 3'x6' anchoring pad.

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Conservation Commission/Staff Comments:

The Wolfeboro Conservation Commission signed the PBN form.

PBN IS COMPLETE:

PBN#7, Construction of a new 6'x30' seasonal dock and PBN#8, construction of a 3'x6' anchoring pad.

**2004-01447                      BURKE, CHARLES AND ANNETTE**  
**MEREDITH   Lake Winnepesaukee**

Requested Action:

PBN#12, In-kind repair of an existing retaining wall.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Meredith Conservation Commission signed the PBN form.

PBN IS COMPLETE:

PBN#12, In-kind repair of an existing retaining wall.

**2004-01448                      LYNCH REVOC TRUST**  
**MEREDITH   Lake Winnepesaukee**

Requested Action:

PBN#11, In-kind repair of existing breakwater and dock.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Meredith Conservation Commission signed the PBN form.

PBN IS COMPLETE:

PBN#11, In-kind repair of existing breakwater and dock.

**2004-01449                      FRENCH, HEBERT**  
**MEREDITH   Lake Winnepesaukee**

Requested Action:

PBN#11, In-kind repair of existing dock.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Meredith Conservation Commission signed the PBN form.

PBN IS COMPLETE:

PBN#11, In-kind repair of existing dock.

**2004-01458                      SANETTI, CAROLE**  
**SPRINGFIELD   Unnamed Stream**

Requested Action:

PBN#1, Dredge and fill approximately 300 sq. ft. of forested wetland and install a 12"x18' culvert for access to a single family residential lot on approximately 12 acres.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Springfield Conservation Commission signed the PBN form.

PBN IS COMPLETE:

PBN#1, Dredge and fill approximately 300 sq. ft. of forested wetland and install a 12"x18' culvert for access to a single family residential lot on approximately 12 acres.

**2004-01459                      DODGE, CLINT & SANDY**  
**BARRINGTON   Unnamed Stream**

Requested Action:

PBN#1, Dredge and fill approximately 822 square feet of forested wetland for installation of a 24"x25' culvert to access a single family residential lot on approximately 0.96 acres

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Barrington Conservation Commission signed the PBN.

PBN IS COMPLETE:

PBN#1, Dredge and fill approximately 822 square feet of forested wetland for installation of a 24"x25' culvert to access a single family residential lot on approximately 0.96 acres

**2004-01460                      HENDERSON, WILLIAM**  
**BARRINGTON   Unnamed Stream**

Requested Action:

PBN#1, Dredge and fill approximately 954 square feet of forested wetland for installation of a 18"x25' culvert to access a single family residential lot on approximately 2.5 acres.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Barrington Conservation Commission signed the PBN.

PBN IS COMPLETE:

PBN#1, Dredge and fill approximately 954 square feet of forested wetland for installation of a 18"x25' culvert to access a single family residential lot on approximately 2.5 acres.

**2004-01463                      SCHAEFER, PAUL**  
**HILLSBOROUGH   Unnamed Wetland**

Requested Action:

PBN#1, Dredge and fill approximately 738 sq. ft. and install a 12"x20' culvert for access to a single family residential lot on approximately 2.7 acres.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Hillsborough Conservation Commission signed the PBN form.

PBN IS COMPLETE:

PBN#1, Dredge and fill approximately 738 sq. ft. and install a 12"x20' culvert for access to a single family residential lot on approximately 2.7 acres.

**2004-01494                      CLARK, CREIGHTON**  
**MADISON   Unnamed Stream**

Requested Action:

PBN#1, Dredge and fill approximately 1,165 square feet of forested wetland for installation of a 15"x20' culvert for access to a single family residential lot on approximately 0.55 acres.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Madison Conservation Commission signed the PBN.

PBN IS COMPLETE:

PBN#1, Dredge and fill approximately 1,165 square feet of forested wetland for installation of a 15"x20' culvert for access to a single family residential lot on approximately 0.55 acres.

**2004-01495                      WINNISQUAM REGIONAL SCHOOL DISTRICT SAU 59, SANBOR**  
**SANBORNTON   Unnamed Stream**

Requested Action:

PBN#1, Dredge and fill approximately 600 square feet of emergent wetland and install a 30" culvert.

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Conservation Commission/Staff Comments:

The Sanbornton Conservation Commission signed the PBN.

PBN IS COMPLETE:

PBN#1, Dredge and fill approximately 600 square feet of emergent wetland and install a 30" culvert.